

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) FILED
) IN CLERKS OFFICE
)
v.) No. 13-CR-10200-GAO 1 47
) 2015 JAN 2 PM
DZHOKHAR TSARNAEV) U.S. DISTRICT COURT
) DISTRICT OF MASS.
SEALED MOTION FOR DISCLOSURE OF JURY RECORDS

Defendant, Dzhokhar Tsarnaev, by and through counsel, and pursuant to the Fifth and Sixth Amendments to the United States Constitution, *Duren v. Missouri*, 439 U.S. 357 (1979) and the Jury Selection and Service Act, 28 U.S.C. §§1867 (a) and (f), respectfully moves this Court for an Order for jury records for the Master and Supplemental Wheels drawn for the trial of this case, and the pool that was drawn for this trial. The defendant requests the same records for the Wheels and Pool as was previously ordered in DE 393.

From a review of the data provided by this Court on December 29, 2014, it appears that some 538 individuals did not respond, a substantially higher percentage of non-responses than should have been expected based on the data from the 2011- 2013 pools.

It appears that 819 individuals were disqualified or excused. The defendant requests the underlying data indicating the requests and reasons for disqualification or excusal.

It appears that some 206 summons were returned as undeliverable. The Court issues replacement summons and of those, 91 were qualified, 57 did not respond and

another 58 were undeliverable, disqualified or excused. The defendant requests the underlying data indicating the requests, and reasons for disqualification or excusal, and whether replacement summons were issued for the undeliverables.

Respectfully submitted,

DZHOKHAR TSARNAEV
by his attorneys



Judy Clarke, Esq. (CA Bar # 76071)
CLARKE & RICE, APC
1010 Second Avenue, Suite 1800
San Diego, CA 92101
(619) 308-8484
JUDYCLARKE@JCSRLAW.NET

David I. Bruck, Esq.
220 Sydney Lewis Hall
Lexington, VA 24450
(540) 460-8188
BRUCKD@WLU.EDU

Miriam Conrad, Esq. (BBO # 550223)
Timothy Watkins, Esq. (BBO # 567992)
William Fick, Esq. (BBO # 650562)
FEDERAL PUBLIC DEFENDER OFFICE
51 Sleeper Street, 5th Floor
(617) 223-8061
MIRIAM_CONRAD@FD.ORG
TIMOTHY_WATKINS@FD.ORG
WILLIAM_FICK@FD.ORG